CONSIDERATIONS

ON THE

PRESENT STATE

OF THE

PEERAGE OF SCOTLAND.

By a Peer of Scotland.

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FOR ſome time after the union, the Peers of Scotland were conſidered in ſo very reſpectable a light, that, in the year 1708, it was thought neceſſary to paſs an act of parliament regulating the number of their attendants at their meetings, and reſtraining them, under the ſevereſt penalties, from treat-

treating of any ſubject that did not relate immediately to voting at their elections.

It muſt be allowed, they have long loſt a great deal of their importance; and at this time it would be thought ridiculous in the legiſlature to apprehend any bad conſequence from their meetings or deliberations.

Their number, it is true, is diminiſhed, but their order is poſſeſſed of a greater ſhare of the property of their country than at the union; and as the power of chuſing their ſixteen repreſentatives was then divided among 150, and is now confined to little more than 60; this circumſtance ought to add to the importance of the individuals.

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This is far from being the caſe; for a Scots peer, whether of the ſixteen or not, is by no means conſidered as a diſtinguiſhed member of the ſtate, independent of other perſonal advantages.

Surely this degradation is not to be imputed to the want of a ſufficient ſhare in the government and legiſlation of this great empire: Sixty Scots peers are veſted with the hereditary and excluſive privilege of conferring the higheſt dignity a Britiſh ſubject is capable of enjoying, on ſixteen of their own number.

An Engliſh peer derives his ſeat in the houſe of lords from the King's patent beſtowed on himſelf or his anceſtor; but, if a Scots repreſentative was to be really choſen by the free voice of his fellow peers, he would

would add to the dignity of his title and the merit of his anceſtors, the approbation of his country diſtinguiſhing him as a perſon qualified to repreſent their whole body in the moſt important of all truſts. This diſtinction would add a luſtre to the patent, ſuperior to every honour the conſtitution of this country admits of.

Noblemen holding their dignity by this tenure, would be conſidered as ſuperior to other members of the houſe of lords, and the power of conferring ſo ſingular a mark of diſtinction, would render their electors of the greateſt conſideration.

The ſixteen peers thus elected, would not hold their ſeats on the precarious footing of the approbation or continuance in power of a miniſter; inſtead of being obliged

ged to pay a ſervile court to him, they would be courted by him, and no change in adminiſtration could affect the ſecurity of their ſeat; it could only be affected by the loſs of the good opinion of their electors, which, as they are few in number, and men of birth and education, no good man would regret to depend on.

Such of the preſent ſixteen as are likely to be choſen on this honourable footing, have a manifeſt intereſt to introduce a method of election, which would at once put them in the moſt reſpectable ſituation, and vindicate them from the mortifying imputation of being choſen merely becauſe the miniſter thought them fit engines to execute his commands.

To form a judgment of what would be the conſequence, if the peers of Scotland were to exert their privilege of chuſing their repreſentatives, it will be proper to conſider it,

1ſt, With relation to the great peers beſt entitled to the mark of diſtinction.

2d, With reſpect to the other Scots peers, their electors.

3d, With reſpect to the whole order in general.

4th, With reſpect to the country they repreſent, as well as England and the public in general,

5th,

5th, With reſpect to his Majeſty and the royal authority.

As to the 1ſt, Never was there ſo humbling a degradation as what the Scots peers of the firſt rank and pretenſions ſuffer, by the preſent mode of their admittance to the houſe of lords. For the truth of this, one needs but appeal to their own feelings, or to the common eſtimation of mankind.—A Scots peer of the firſt rank is conſidered as an inſtrument ſingled out, and poſted in the houſe of lords, by the appointment of the miniſter at the time, for the end of ſupporting his meaſures, whatever they are, or may be; and who, in caſe of failure, muſt expect to be turned out at the expiration of his term of ſeven years;—he is ſuppoſed to be compoſed of ſuch pliant materials, that, in

the event of a change of adminiſtration, the next miniſter makes no doubt of finding him equally obſequious, and ready to renounce his former connections. If he ſhall diſcover the ſmalleſt heſitation or remorſe, or ſhall plead paſt ſervices, he has the example of Lord Stair, the Duke of Montroſe, the Marquis of Tweedale, Lord Eglinton, &c. &c. to deter him.

To theſe diſhonourable conditions muſt men of the higheſt quality and fortune ſubmit, if they hope to obtain or preſerve their ſeats in the houſe of lords.

Were the ſame men to owe their ſeats to the free ſuffrages of their peers, their ſituation would be as flattering as it is now contemptible.—Birth and fortune, diſtinguiſhed by

by the approbation of the whole body of their order, would point them out as the moſt reſpectable ſet of men in the kingdom; their weight and influence would be in proportion—they would be honoured and courted by men of all ranks; and their concurrence would become a real ſupport to a miniſter.

2d, As to the inferior Scots peers, the perſons conferring this diſtinguiſhing mark of honour on the other ſixteen; they would derive reputation and protection from their choice—they would be certain of the ſupport of ſixteen of the moſt dignified men in the realm, who would find themſelves intereſted in ſeconding their juſt claims and pretenſions.

At preſent, as the elected owe them no obligation, they are at liberty to neglect them; and as they are beholden to the miniſter alone for their ſeats, they would be in the wrong to excite his jealouſy, by ſeeming to interfere with him in paying court to the electors.

Thus theſe men are weak enough to give up the advantage of ſecuring to themſelves ſixteen certain and powerful protectors, for a precarious dependence on a miniſter, who muſt neceſſarily deſpiſe them, and who can neither have leiſure nor inclination to liſten to their demands.

A Scots peer, loaded with a large family, may want a penſion for himſelf, and a commiſſion in the army for a ſon. Has he

a better chance to ſucceed, by applying directly to a miniſter, who knows him not, than by the intereſt of ſixteen men of the moſt elevated rank and dignity, acquainted with his ſituation and pretenſions, and who muſt conſider themſelves as partly beholden to him for the high rank they hold in the commonwealth?

3d, With reſpect to the Scots peerage in general; there can be little doubt, that, if they were to make uſe of their right to chuſe their own repreſentatives, from the moſt contemptible, they would become at once the moſt honoured order of men in the kingdom; no unclean thing could enter through them; no peer from Scotland would appear in the houſe of lords to diſgrace his rank, and belie his patent: The check of keeping

keeping ſuch men at home, and ſending only ſuch as had the teſt of public approbation to accompany them, would ſecure the whole order in the general eſteem—The hopes of attaining, ſome time, to this high dignity, would be an incitement to the young nobility to deſerve it; ſo that ſubjects worthy of this higheſt of diſtinctions could never be wanting.

4th, That the country they repreſent would be benefited, will hardly be diſputed; men who owed their elevation to the approbation of their country, would naturally make it their endeavour to preſerve its good opinion.

The laws of Scotland are totally different from thoſe of England; the whole proper-

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ty of that country is liable to be decided in the houſe of lords, and it cannot be a matter of indifference to the owners of it, whether their judges, in the laſt reſort, be ſuch as have received their approbation—National points occur every day; and ſurely the intereſt of Scotland is more likely to be underſtood, explained, and ſupported, by noblemen choſen by the whole body of peers of that country, than by any miniſter—Indeed, the whole kingdom of Scotland is as eſſentially intereſted in the proper execution of the article of union relating to their peerage, as the peers themſelves; it was what that nation had reaſon to expect at the union; and it is a manifeſt violation of the treaty to deprive it of a free repreſentation, whatever may be the means that are made uſe of to pervert it. England has equal

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reaſon to complain of this incroachment; while, inſtead of the advantage of having ſixteen choſen and independent noblemen added to the houſe of lords, they feel themſelves loaded with ſixteen men who muſt neceſſarily obey the dictates of a miniſter, and who, indeed, are not to be conſidered as free agents.

5th, No body is ſo much injured, by this manifeſt violation of the articles of union, as his Majeſty.

If ſixteen noblemen were ſent to the houſe of lords by the unbiaſed choice of their peers, their credit, influence, and abilities, would be a real ſupport to the throne, and would give weight and credit to the meaſures of government—The intereſt of the

peerage

peerage is ſo inſeparably connected with the maintenance of the royal authority, that ſuch men would ever be ready and able to enforce it, and to prevent every attempt to impair it: They would be never-failing inſtruments to reconcile the remoteſt parts of the country to the meaſures of adminiſtration. But, as elections are now conducted, nothing is ſo natural as for the people to ſuſpect a bad deſign, where indirect means are employed to diſappoint them of that repreſentation in the houſe of lords they think themſelves intitled to by the articles of the union.

If the above reaſoning is juſt, and all degrees of men, from the King to the peaſant, are intereſted in ſupporting the independency of the Scots Peerage, it may ſeem diffi-

cult to explain why ſo much pains has been taken to diveſt that order of men, in particular, of all dignity and privilege; and why the bulk of the people, contrary to cuſtom, have concurred with men in power in their endeavours to degrade the peerage of Scotland.

I acknowledge the ſeeming contradiction; the difficulty, however, may be accounted for, ſo far as relates to the multitude, did not the explanation require a long hiſtorical diſcuſſion.

It is not eaſy to account for, or to juſtify the maxims and conduct of the miniſters, who, by adopting this meaſure, ſeem to have forgot, that, in this government, the dignity of the nobility is the ſureſt ſupport of the crown;

crown; and by abaſing the Scots nobility, they deprive the King of an influence much ſuperior and more effectual than that of the ſtanding army kept up in that country.

It likewiſe ſurpaſſes my abilities to account for the ſubmiſſion of the Scots Peers, or by what arts or faſcination they have been brought to acquieſce in the ſurrender of the valuable privilege of being named, and of naming, repreſentatives.

Thoſe of the firſt rank and fortune are certainly above the influence of money; and yet they have been ſelf-denied enough to give up the certainty of obtaining the moſt flattering of all diſtinctions, for a ſeat meanly procured, and held at the will of a precarious miniſter.

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The inferior Scots Peers muſt groſsly miſtake their intereſt, if they imagine any gratuity a miniſter can beſtow, is equal in point of value to the advantage they would derive from the privilege of raiſing ſixteen of their number to an elevation which their own poſterity might probably one day aſpire to.

If I may be allowed to make uſe of a vulgar compariſon, their conduct ſeems to me as unjuſtifiable in point of profit, as if a merchant, who had a commodity to diſpoſe of worth a thouſand pounds, ſhould willingly agree to debaſe it, ſo as to be only worth a ſhilling.

Notwithſtanding the picture I have endeavoured to draw, it muſt be allowed there may exiſt a few individuals, who may think

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it more for their intereſt to have the ſixteen Scots Peers nominated by a miniſter, than elected by their country.

Thoſe can only be ſuch of the order as are conſcious of having no chance to be choſen by their fellow Peers; but, by taking advantage of the ignorance, weakneſs, or particular means of acceſs to a miniſter, might hope to get themſelves nominated, in defiance to the unbias'd voice of their electors.

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